

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

VS.

**THOMAS E. BRYANT and
JONATHAN M. BALES,**

Defendants.

8:08CR377

ORDER

This matter is before the court on the motion of Jonathan M. Bales for extension of time in which to file pretrial motions (Doc. [27](#)). Upon review of the file, and for cause shown, the court finds that the motion should be granted.

IT IS ORDERED that the motion (Doc. [27](#)) is granted, as follows:

1. The deadline for filing pretrial motions is extended to **January 5, 2009** as to all defendants.
2. In accordance with 18 U.S.C. § 3161(h)(8)(A), the court finds that the ends of justice will be served by granting this motion and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **December 22, 2008 and January 5, 2009**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act because counsel require additional time to adequately prepare the case, taking into consideration due diligence of counsel and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(8)(A) & (B)(iv).
3. Jonathan M. Bales shall file an affidavit or declaration regarding speedy trial, as required by NECrimR 12.1 and/or 12.3, and the case progression order (Doc. 19 at ¶ 9) no later than **January 5, 2009**.

DATED December 22, 2008.

BY THE COURT:

s/ F.A. Gossett
United States Magistrate Judge